

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

BRADLEY L. BROWN, II,

Petitioner,

v.

CHRIS KOSTER and STEVE LARKINS,

Respondents.

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No. 4:10-CV-1364-CAS

MEMORANDUM AND ORDER

The undersigned has been randomly assigned to this case. The undersigned's brother, the Honorable Booker Shaw, is a former judge for the Missouri Court of Appeals and a former circuit judge for the 22nd Judicial Circuit Court, City of St. Louis. Consequently, it is possible that Judge Booker Shaw may have presided over some portion of petitioner's state court proceedings, which would create a conflict for the undersigned.

Petitioner is directed to inform the undersigned in writing within thirty days of the date of this Order if Judge Booker Shaw presided over any aspect of petitioner's state court proceedings. Petitioner is advised that if he fails to do so, the undersigned will proceed with a review of this case under Rule 4 of the Rules Governing 28 U.S.C. § 2254 Cases.

Accordingly,

IT IS HEREBY ORDERED that petitioner shall inform the Court in writing and no later than thirty (30) days from the date of this Order whether Judge Booker Shaw presided over any aspect of his state court proceedings. Petitioner is advised that if he fails to do so, the undersigned will proceed with a review of this case pursuant to Rule 4 of the Rules Governing 28 U.S.C. § 2254 Cases.

IT IS FURTHER ORDERED that the Clerk shall docket this petition as
Bradley L. Brown, II v. Chris Koster and Steve Larkins.¹



CHARLES A. SHAW
UNITED STATES DISTRICT JUDGE

Dated this 30th day of September, 2010.

¹At the time that petitioner originally submitted his petition, he was incarcerated at the Stoddard County Jail. Consequently, Carl Hefner, Sheriff of Stoddard County, was named as respondent. After submitting his amended petition; however, petitioner was transferred to the Eastern Reception, Diagnostic and Correctional Center (“ERDCC”). Steve Larkins is the Warden of the ERDCC. As such, the Court will substitute Steve Larkins in lieu of Carl Hefner as a proper party respondent. See 28 U.S.C. § 2254, Rule 2(a).